

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

GARY TANNER and
ANDREW DAVENPORT,

Defendants.

Amended Order of Restitution

Docket No. S1 17 Cr. 61 (LAP)

Upon the application of the United States of America, by its attorney, Audrey Strauss, United States Attorney for the Southern District of New York, Richard Cooper, Assistant United States Attorney, of counsel; the presentence report; the Defendants' conviction on Counts One through Four of the above Indictment; and all other proceedings in this case, it is hereby ORDERED that:

1. Amount of Restitution

Gary Tanner and Andrew Davenport, the Defendants, shall pay restitution in the total amount of \$3,885,683.35, pursuant to 18 U.S.C. §§ 3663 and 3663A, to Bausch Health Companies, Inc. (f/k/a Valeant Pharmaceuticals Inc.), the victim of the offenses charged in Counts One through Four. Restitution is joint and several for Defendants Gary Tanner and Andrew Davenport.

2. Schedule of Payments

Pursuant to 18 U.S.C. § 3664(f)(2), in consideration of the financial resources and other assets of the Defendants, including whether any of these assets are jointly controlled; projected earnings and other income of the Defendants; and any financial obligations of the Defendants; including obligations to dependents, the Defendants shall pay restitution in the manner and according to the schedule that follows:

The Defendants shall make monthly installment payments of not less than 10 percent of the Defendants' gross monthly income.

3. Payment Instructions

The Defendants shall make restitution payments by certified check, bank check, money order, wire transfer, credit card or cash. Checks and money orders shall be made payable to the "SDNY Clerk of the Court" and mailed or hand-delivered to: United States Courthouse, 500 Pearl Street, New York, New York 10007 - Attention: Cashier, as required by 18 U.S.C. § 3611. The Defendants shall write their names and the docket number of this case on each check or money order. Credit card payments must be made in person at the Clerk's Office. Any cash payments shall be hand delivered to the Clerk's Office using exact change, and shall not be mailed. For payments by wire, the Defendants shall contact the Clerk's Office for wiring instructions.

4. Additional Provisions

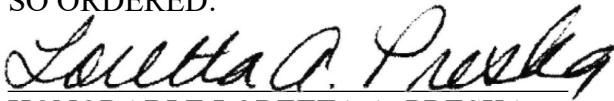
The Defendants shall notify, within 30 days, the Clerk of Court, the United States Probation Office (during any period of probation or supervised release), and the United States Attorney's Office, 86 Chambers Street, 3rd Floor, New York, New York 10007 (Attn: Financial Litigation Unit) of (1) any change of the Defendants' name, residence, or mailing address or (2) any material change in the Defendants' financial resources that affects the Defendants' ability to pay restitution in accordance with 18 U.S.C. § 3664(k). If the Defendants disclose, or the Government otherwise learns of, additional assets not known to the Government at the time of the execution of this order, the Government may seek a Court order modifying the payment schedule consistent with the discovery of new or additional assets.

5. Restitution Liability

The Defendants' liability to pay restitution shall terminate on the date that is the later of 20 years from the entry of judgment or 20 years after the Defendants' release from imprisonment, as

provided in 18 U.S.C. § 3613(b). Subject to the time limitations in the preceding sentence, in the event of the death of the Defendants, the Defendants' estate will be held responsible for any unpaid balance of the restitution amount, and any lien filed pursuant to 18 U.S.C. § 3613(c) shall continue until the estate receives a written release of that liability.

SO ORDERED:



HONORABLE LORETTA A. PRESKA
UNITED STATES SENIOR DISTRICT JUDGE

March 25, 2021

DATE